

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.9406 of 2017.

Date of Decision: July 14, 2017

Gram Panchayat Village Longodeva, District FerozepurPetitioner

versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Vikram Satpaul, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner-Gram Panchayat seeks a direction to the official-respondents for implementing the eviction order dated 08.05.2015 and the appellate order dated 22.07.2016 whereby private-respondent Nos.5 to 7 have been ordered to be evicted from the Gram Panchayat land.

The record reveals that the petitioner-Gram Panchayat filed a petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 seeking eviction of the private-respondents through summary proceedings on the ground that the land unauthorizedly occupied by them vests in Gram Panchayat. The petition was accepted and eviction order was passed against which the private-respondents filed a statutory appeal which was also dismissed on 22.07.2016.

It further appears that warrant of possession was issued but the same has not been executed so far.

It is, however, not clear from the record whether the private-respondents have challenged the order dated 22.07.2016 before any superior forum or the said order has attained finality. Suffice to observe that if the

said order has attained finality, then it is imperative upon the official-respondents to take necessary action in accordance with law for implementation of the eviction order. However, if any legal proceedings are still pending between the parties and there is any ad-interim stay order, the authorities will have to await for the outcome of such proceedings.

The writ petition is accordingly disposed of with a direction to respondent Nos.3 & 4 to ascertain the correct facts and take further necessary action in accordance with law, as early as possible but not later than two months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

July 14, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No